

REMARKS

Claims 1-15 are all the claims pending in the application.

I. Response to Obviousness-Type Double Patenting Rejection

Claims 1 and 12-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 18, 22, 25 and 17 of co-pending application no. 10/657,090.

In addition, claims 1 and 12-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1 and 2 of co-pending application no. 10/634,833.

Without conceding in the merits of the rejection and to advance prosecution, Applicants submit herewith a terminal disclaimer to disclaim the terminal part of any patent granted on this application which would extend beyond the expiration of the full statutory term of any U.S. Patent granted on co-pending application nos. 10/657,090 and 10/634,833. In addition, Applicants submit that the filing of a terminal disclaimer to obviate a rejection based on non-statutory obviousness-type double patenting is not an admission of the propriety of the rejection.

In view of the above, withdrawal of the obviousness-type double patenting rejection is respectfully requested.

II. Conclusion

For the above reasons, reconsideration and allowance of claims 1-15 is respectfully requested.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/720,537

Attorney Docket No.: Q78623

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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